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November 3, 2025

VIA ECF

Judge Joseph A. Marutollo, U.S.M.J.
United States District Court,
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Laduca et al v. Bari Home Care, LLC et al*, Docket No. 24-cv-07970 (LDH)(JAM)

Dear Judge Marutollo,

This firm is counsel to Plaintiffs in the above-referenced action. Together with defense counsel, we write pursuant to this Court's October 30, 2025 Order, and to respectfully request an extension of time to complete pre-class certification discovery and fact discovery, which was previously set for October 1, 2025.

The Parties sincerely apologize to the Court for failing to make this request prior to the expiration of the deadline. The oversight was entirely inadvertent and the result of a good-faith misunderstanding regarding the applicable discovery schedule. After this Court so-ordered the Parties stipulation for collective certification under 29 U.S.C. § 216(b), the Parties turned their focus to conducting pre-class certification discovery pursuant to Rule 23. Thereafter, the Parties filed status reports on August 19, 2025 [Dkt No. 30], September 17, 2025 [Dkt. No. 35] and October 30, 2025 [Dkt. No. 37] stating their progress with pre-class certification discovery and requesting extensions of time to complete that discovery through October 31, 2025. Given that the Court issued three corresponding Status Report Orders acknowledging the Parties' extension requests for pre-class certification discovery, the Parties lost sight of requesting an extension of the fact discovery deadline, and mistakenly assumed it was also being extended. The Parties sincerely apologize for their mistake, and respectfully request that the Court extend their time to complete fact discovery until after a decision is made on Plaintiffs' anticipated motion for class certification, or until Plaintiffs seek permission to move for class certification, at which time, Plaintiffs will also seek another extension of the fact discovery deadline.



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As for the status of discovery, Defendants served their initial pre-class certification discovery demands on April 3, 2025, and Plaintiffs served their responses on June 27, 2025. Plaintiffs served their initial pre-class certification demands on May 13, 2025, and following the filing of the First Amended Complaint, served Defendants with amended demands on August 18, 2025. Plaintiffs' counsel inquired on the status of Defendants' discovery responses on October 2nd, 16th and 27th. As of the last inquiry, Defendants have stated that they would need until November 7, 2025 to produce responses, thus, the October 30, 2025 Status Report was filed seeking additional time for the Parties to complete pre-class certification discovery.

The Parties respectfully request an extension of time to complete pre-class certification discovery until January 8, 2026 to allow Plaintiffs time to review Defendants' anticipated responses, determine whether there are any deficiencies, and contemplate the need for any pre-class certification depositions. The Parties also respectfully request the Court extend their time to complete fact discovery until after a decision is made on Plaintiffs' anticipated motion for class certification, or until Plaintiffs seek permission to move for class certification, at which time, Plaintiffs will also seek another extension of the fact discovery deadline. It is respectfully submitted that these extensions will not prejudice either party and the Parties remain committed to completing discovery as efficiently as possible. The Parties are deeply sorry for any inconvenience caused by their oversight.

We thank the Court for its attention to this matter.

Respectfully submitted,

/s/ Paige I. Piazza, Esq.

Cc: All counsel of record (via ECF)